

Revisiting U.S.-Vietnam Relations Amid the Rebalance to the Pacific

by

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United States and Vietnam interests are currently strategically aligned for mutual benefit in Southeast Asia. Because Vietnam's integration into the world economy and international community exposes the communist country to free market and democratic principles, the United States rebalance to the Asia-Pacific provides a timely occasion to achieve shared national security interests by accelerating Vietnam's aspirations for greater regional and international cooperation in response to China's expanding aggressiveness in the South China Sea. This Strategy Research Project examines how a U.S.-Vietnam strategic relationship can be leveraged to bolster regional security and promote common goals through collaboration with regional stakeholders and integration of Vietnam into democratically influenced international organizations.

Revisiting U.S.-Vietnam Relations Amid the Rebalance to the Pacific

United States and Vietnam interests are currently strategically aligned for mutual benefit in Southeast Asia. In late 2011 the U.S. announced its intention to increase foreign policy resources dedicated to the Asia-Pacific region. This “rebalance” is designed to promote U.S. influence through active participation in the shaping of norms and rules adhered to by the nations in the region.¹ U.S. national interests in the area are served through adherence to international law, freedom of navigation, promotion of commerce, and regional stability.² The recalibrated engagement in Asia rests on continued cooperation with allies and expanding relationships with new friends. Vietnam represents a unique opportunity to broaden relations with a communist nation already experimenting with western economic concepts and diplomatic outreach as a means to modernize its society. Because Vietnam’s integration into the world economy and international community exposes the communist country to free market and democratic principles, the United States rebalance to the Asia-Pacific provides a timely occasion to achieve shared national security interests by accelerating Vietnam’s aspirations for greater regional and international cooperation in response to China’s expanding aggressiveness in the South China Sea. This Strategy Research Project examines how a U.S.-Vietnam strategic relationship can be leveraged to bolster regional security and promote common goals through collaboration with regional stakeholders and integration of Vietnam into democratically influenced international organizations.

Global Trends

A period of collective apprehension has taken hold throughout South East Asia in response to China’s rise to power and its aggressive activities in the South China Sea.

The United States rebalance represents an opportunity, according to President Barack Obama, to promote security and stability in a strategically vital region of the world during this unsettled and transitional period.³ Writing in *Foreign Policy Magazine*, U.S. Secretary of State Hillary Clinton outlined, in a November 2011 article entitled “America’s Pacific Century,” a foreign policy with a decidedly Pacific, and more specifically, an Asian focus.⁴ The U.S. had just spent the last ten years allocating significant resources to the threats incubated and spreading in the Middle East. With the war in Iraq winding down and the war in Afghanistan moving closer to a 2014 withdrawal, the focus of United States diplomacy and engagement was shifting towards the Asia-Pacific region.

The last decade had also witnessed the growth of international commerce move from the Trans-Atlantic region to the Asia-Pacific. With over half of the world’s population, Asia had become the manufacturing hub of the most sophisticated international corporations. Many nations of Southeast Asia that once struggled to manage their domestic economic systems and raise their people out of poverty soon found themselves managing high growth economies. Indigenous populations were becoming increasingly consumer-driven societies with significant disposable income to spend on foreign products. Growth oriented governments were also aggressively competing internationally for natural resources. Very quickly, the Asia-Pacific region had matured to become both an immense trade market and a significant competitor.

U.S. Policy

The Obama Administration’s policy reflects a growing consensus developed over several years among political and military leaders that the nation’s future security requires an increased forward presence in the Asia-Pacific region.⁵ This regional

strategy rests on a renewed effort to apply instruments of national power to demonstrate to friends and potential adversaries the nation's commitment to the region despite distance and cost. The President's carefully crafted message was that the Asia-Pacific region had become a vital national interest. In her *Foreign Policy* article, Secretary Clinton outlined six key areas that would define the new focus in Asia: "strengthening bilateral security alliances; deepening...working relationships with emerging powers, including China; engaging with regional multilateral institutions; expanding trade and investment; forging a broad-based military presence; and advancing democracy and human rights."⁶

Clinton further highlighted the importance of U.S. regional treaty alliances with Japan, South Korea, Australia, the Philippines, and Thailand. These alliances would be strengthened through increased political cooperation, adaptations to new challenges, and appropriate responses to future threats.⁷ India and Indonesia were also recognized as emerging powers with whom the United States would strive to work closely to promote regional security and expand commerce. The article outlined plans to deepen strategic relationships in pursuit of common interests. The common thread these designated countries share is their adherence to democratic principles of governance and growing respect for individual freedoms. While Vietnam remains governed by the authoritarian Vietnamese Communist Party (VCP), it is at the forefront of Asian integration⁸ into the world economy. Its stated policy⁹ is to resolve territorial sovereignty disputes in accordance with international law. Vietnam's commitment to international norms represents a strengthening of the international framework infused with the democratic principles promoted by the United States.

Secretary Clinton frequently acknowledges China as an influential competitor with expanding military resources acquired by the fruits of its burgeoning economy. However, China's governing ideology remains incompatible with U.S values of democracy and self-government.¹⁰ Although there are opportunities for peaceful cooperation with the United States, China's dramatic rise is a source of considerable concern to many nations in Asia.¹¹ China's overt ambitions in the South China Sea are vociferously opposed by many of its neighbors, including Vietnam and American allies Japan and the Philippines. These territorial disputes have prompted Vietnam, despite its communist government, to become openly critical of its neighbor. Within this environment, through military, diplomatic, and economic means the United States seeks to maintain peace and secure access to the region during an uncertain period in history as Asia's ascendant powers race to assert their own influence.

U.S. Commitment to Regional Stability

As the preeminent seafaring nation in the world, the United States relies on the global commons, legitimized through international and customary law, to secure unimpeded access to every region of the world. Access is necessary to assure allies and friends of U.S. commitment to regional stability. The United States recognizes the South China Sea as part of the global commons and has committed to maintaining international access to the area.¹² The maritime shipping lanes through this sea have become the mega-highway of international commerce that transports the raw materials and manufactured goods that fuel a robust global economy.

U.S. engagement in the region is predicated on four enduring national interests identified in the 2010 *National Security Strategy* (NSS): maintaining the security of the United States, promoting a prosperous United States economy in an open international

economic system, promoting respect for universal values, and sustaining a secure and collaborative international order through U.S. leadership.¹³ Furthermore, “Each of these interests is inextricably linked to the others; no single interest can be pursued in isolation, but at the same time, positive action in one area will help advance all four.”¹⁴ With additional specificity, the 2011 *National Military Strategy of the United States* (NMS) outlines four national military objectives: countering violent extremism, deterring and defeating aggression, strengthening international and regional security, and shaping the future force.¹⁵ Emphasizing these objectives and directly addressing the Asia-Pacific region, the NMS states “To safeguard U.S. and partner nation interests, we will be prepared to demonstrate the will and commit the resources needed to oppose any nation’s actions that jeopardize access to and use of the global commons and cyberspace, or that threaten the security of our allies.”¹⁶ The NSS and NMS reflect the value of the Asia-Pacific as a major source of U.S. economic prosperity and the strategic relevance of the sea lanes passing through the South China Sea. U.S. economic growth and international stability are inextricably linked and cannot be “pursued in isolation.”

China’s sovereignty claims over the entirety of the South China Sea has the potential to disrupt international commerce and destabilize security relations in Asia, which jeopardize U.S. interests in the region. The 2012 Department of Defense strategic guidance document *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense* identified China as a potential threat capable of developing anti-access and area denial capabilities that could infringe upon U.S. freedom of navigation or other modes of transit in Southeast Asia.¹⁷ Defense of United States interests comes at a

price, and in the Asia-Pacific China's disenchantment with the U.S. presence is raising the costs of sustained defense of the region.

Militarily, the most significant rebalance activity has been the reapportionment of Navy ships assigned to the area. The current equal distribution of naval assets assigned to the Pacific and Atlantic will change to reflect a 60-40 percent shift in favor of the Pacific: By 2020, six aircraft carriers and several more submarines will be operating in the Pacific.¹⁸ Also, four Navy Littoral Combat Ships (LCS) will be deployed to Singapore on a rotational basis, along with the potential deployment of long range bombers and missile defense systems in the region.¹⁹ Up to 2,500 Marines will begin rotational deployments to train in Darwin, Australia in the coming years, an increase from the 200 Marines that first deployed in 2012.²⁰ Additional rotational troop deployments and expanded naval training and cooperation activities are under consideration for the Philippines and Australia. These numbers augment the sizable troop levels already stationed in Japan and South Korea—with a significant force buildup planned for Guam. Approximately 50,000 U.S. troops are stationed in Japan²¹ and 28,500 in South Korea.²²

[Should have a subtitle to make the transition of topic from U.S. interest to relations with Vietnam.](#)

A stronger partnership with Vietnam will further U.S. integration within Southeast Asia and the South China Sea at large. Since the normalization of diplomatic ties between the two countries in 1995, the United States has slowly engaged Vietnam through military cooperation efforts.²³ The two countries signed a limited defense cooperation agreement²⁴ in September 2011. Then, during his visit to Vietnam last year, U.S. Secretary of Defense Leon Panetta expressed his desire to build on the

rekindled relationship through “continued high-level dialogue; maritime security; search-and-rescue operations; peacekeeping operations; and humanitarian assistance and disaster relief.”²⁵ While in Cam Rahn Bay the day before, Secretary Panetta stressed the importance of gaining regular access to the Bay’s naval facility for U.S. naval ships.²⁶ The port facility was once a strategic hub for the United States Navy during the Vietnam War but foreign access to the port is now limited to repair work of commercial and non-combat military logistics vessels.²⁷

Frequent and improved “high-level dialogue” provides an opportunity to accelerate security cooperation to further strengthen this expanding relationship. While strategic ties are growing, neither side is pursuing any formal bilateral security agreement. Vietnam carefully avoids perceptions of formal alignment with the United States that China might consider threatening.²⁸ A practical and enduring working bilateral effort could focus on humanitarian assistance and disaster relief (HA/DR) training, which is consistent with Secretary Panetta’s priorities. The focus on HA/DR programs would not be inconsistent with U.S. objections to Vietnam’s poor human rights record. Rather it would draw attention to the need for indigenous mechanisms to respond to human suffering. National and regional civil-military emergency operations centers would be the focus of sustained training in command and control operations and logistics planning to prepare and respond to natural disasters. The Center for Excellence in Disaster Management & Humanitarian Assistance, a Defense Department agency, could, for example, assist with its expertise and civil-military coordination through education and training to exercise Vietnam’s disaster plans.²⁹ Just as the two nations have recently initiated professional military education exchange programs,³⁰

HA/DR cooperation would further expedite the relationship building process. Friendships and partnerships established within academic environments provide operational training and cultural exposure that generate lifelong good will and professional contacts.

The United States provides over \$100 million in foreign aid to Vietnam; the two countries already have established assistance programs designed to improve the general welfare of the population.³¹ Priority programs include assistance with health care, economic reform, governance accountability, and security improvements.³² Formulated in cooperation with the U.S. Department of State and the U.S. Agency for International Development (USAID), security cooperation efforts can complement established programs like the Lower Mekong Initiative (LMI)³³ to expand mutually beneficial infrastructure. Road and bridge networks, for instance, would increase HA/DR response times while improving access to markets, medical care and education priorities advocated through LMI.

In spite of these deepening ties, the United States is likely to avoid any situation that would commit it to defend Vietnam in the event of a conflict with China. U.S.-based security in Asia is linked to its network of alliances. Already two of the five nations, Japan and the Philippines, in the Asia-Pacific region that the United States is obligated to defend under mutual security treaties are engaged in heated disputes with China over territorial issues. If not handled judiciously, the Japanese and Filipino tensions with China could quickly draw the United States into open hostilities. The rebalance to the Asia-Pacific is not designed to embolden allies to aggressively challenge China; rather the rebalance serves to strengthen the U.S. regional commitment to resolve disputes through peaceful negotiations and internationally recognized dispute resolution

mechanisms. Nonetheless, Vietnam appears to be hedging its position by modernizing its military while strengthening its relations with the United States.³⁴ Vietnamese leaders are now seeking weapons purchases from the United States. While some non-lethal military items are available to Vietnam, along with U.S. provided foreign military financing, a current U.S. arms embargo in protest of Vietnam's human rights record prevents it from purchasing spare parts it wants for military equipment left behind by the United States after its 1975 departure.³⁵

Appeal to Regional Cooperation and International Law

The renewed U.S. outreach to the Asia-Pacific introduces a new dynamic in the Sino-Vietnam relationship. As the United States has reinvigorated its diplomatic activity in the region, Vietnam has responded positively to U.S. efforts to strengthen bilateral ties.³⁶ The effect of the rebalance has, at least symbolically, reduced Vietnam's dependence on China. China has long been an important, although frequently menacing, neighbor to Vietnam. China's historically one-sided supremacy has perpetuated Vietnamese security and economic dependency, leaving the Vietnamese in a deferential diplomatic relationship with China. Vietnam has been repeatedly subjugated to Chinese dynasties; it has survived through political acknowledgement of its diminished role and tributary status.³⁷ This lopsided relationship was interrupted only by the colonial power occupations of both countries in the 19th and 20th centuries. The unequal relationship persists, to Vietnam's detriment.

Whereas their shared communist ideology once strengthened the bonds between the two countries, especially during North Vietnam's war against the United States in the mid-20th century, Vietnam now actively pursues its own foreign and domestic policies by reaching out to the international community at large.³⁸ With the collapse of

the Soviet Union in 1991, Vietnam lost a major benefactor and ally. However, Vietnam retained its relationship with the Russian Federation, the Soviet successor state. Russia is now Vietnam's leading supplier of weapons.³⁹ In its dealings with the United States, in particular, Vietnam is always mindful of the strategic impact any decision will have on its own sensitive relationship with China.⁴⁰ Closer to home, it has turned to regional partnerships to exercise its influence and strengthen its hand vis-a-vis China.

In 1995 Vietnam joined the Association of Southeast Asian Nations (ASEAN). This small but increasingly influential regional organization provided Vietnam with an entry into an internationally recognized entity through which Vietnam could advocate its foreign policy priorities. ASEAN has proven to be an effective forum for the smaller nations of the region to address their concerns with collective leverage against the larger and stronger countries in the neighborhood. With a combined population of over 600 million people and a GDP exceeding \$2.1 trillion, ASEAN's influence in Asia cannot easily be discounted.⁴¹ ASEAN seeks to promote peace and stability in the region through appeals to the rule of law and principles enunciated by the United Nations. As a non-military entity, the ten-member organization renounces the use or threat of force and promotes settlements of disputes in a peaceful manner.⁴²

The geo-political and economic nature of this organization has enhanced the individual status of member states. While the group presents no unified view on the South China Sea issue, ASEAN members recognize the importance of leveraging the institution to address specific issues. Vietnam, along with three member nations sharing similar grievances, has benefitted from the legitimizing and cooperative framework ASEAN offers in disputes with China. Occupying the ASEAN chairmanship in 2010,

Vietnam was able to place the South China Sea issue on the agenda at the ASEAN Regional Forum (ARF). Further, Vietnam's diplomats successfully lobbied the United States to advocate for a peaceful and international resolution of the territorial disputes.⁴³ On the other hand, when Cambodia held the ASEAN chair in 2012, it used the Chair's prerogative to limit discussion of the territorial dispute in deference to its Chinese ally.⁴⁴ Historically, China has preferred to resolve its disputes bilaterally, rather than engaging in group negotiations. Although disagreements remain between members with competing interests, the political clout and economic integration among the ASEAN nations provides some diplomatic counterweight that enable them to engage China in a more equal footing.

This lack of consensus and regional deference to China indicate that a long-sought code of conduct to resolve the territorial disputes appears unlikely. Ultimately, if China refuses to adhere to any recognized guidelines, the disputes will not be resolved. Nonetheless, ASEAN aims and the principles the organization espouses are consistent with U.S. interests; they strengthen the current international security order. What ASEAN fails to provide in enforcement mechanisms, it makes up for in its members' reliance on rule of law, institutional transparency, and general appeals to democratic governance that Vietnam may eventually espouse. For the United States, participation in ASEAN-led summits and forums provide diplomatic confidence-building opportunities to support aggrieved members. They can also serve to influence non-direct stakeholders like Cambodia, Laos, Thailand, and Burma, who may feel obligated to protect their relationships with China. U.S. reconfigured plans for the region reinforce

ASEAN's and Vietnam's approach to diplomacy by actively promoting respect for the rules-based regional system and its adherence to international law.

Economic Integration

The key to China's dominance in the region and growing influence in the world is its economic success. With its vast population and expansive geography, China has been able to wield influence through trade, foreign investments, and generous grants to its neighbors. Whereas the United States and Japan once dominated trade and economic activity in the region, China is now the unquestioned economic leader. China has already replaced the United States as Vietnam's largest trade partner with bilateral trade exceeding \$36 billion⁴⁵, compared to U.S.-Vietnam trade of \$21.8 billion⁴⁶ in 2011. China-ASEAN trade increased to approximately \$363 billion in 2011.⁴⁷ In an unsurprising turn of events, although the region once looked to China to balance the immense superpower influence of the U.S., leading nations like Indonesia and Vietnam now look to the United States to provide equilibrium in the face of growing Chinese hard power.⁴⁸ In international relations, less competitive nations frequently rely on a multi-polar world for greater national security safeguards and options.

The present period of uncertainty presents a window of opportunity for the United States to reposition itself with Vietnam as a recognized partner committed to maintaining balance in the region. Complementing the core U.S. security alliances in Asia is increased economic integration. As a member of the Asia-Pacific Economic Cooperation (APEC) forum and the East Asia Summit (EAS), the United States remains actively engaged in the economic growth of the region. The newest trade initiative the United States strongly supports is the Trans-Pacific Partnership (TPP). This new trade pact presents a substantial opportunity for the U.S. to deepen its ties to the region.

Eleven Pacific-rim nations, including the United States and Vietnam, are currently involved in finalizing the TPP agreement.⁴⁹ The pact remains a work in progress, and it has encountered a fair amount of opposition. Nonetheless, the list of future members is expected to grow. Noticeably absent from the prospective membership list is China. TPP is a broader trade agreement with more stringent standards than current agreements that the United States has entered into.⁵⁰ The incentives for membership include free trade access to the entire North American market and participation in possibly the largest free trade agreement in the world. For the U.S. and Vietnam, TPP offers the opportunity to further integrate their economies and promote mutual interests.⁵¹ The trading bloc could also serve as an influential economic counterweight to Chinese influence in Asia, whether or not the Chinese decide later to join the TPP.⁵²

The agreement's considerable scope extends beyond trade and tariffs into related issues such as the environment, labor practices, intellectual property, and management of state-owned enterprises (SOEs).⁵³ Many of these non-traditional areas of commerce would certainly impact Chinese businesses and create a more competitive trade environment, especially with greater oversight of SOEs funded by deep-pocket governments competing against the private sector.⁵⁴ Substantive reform of SOEs would likely meet with substantial resistance within Vietnam, since the political patronage system that frequently accompanies management of these companies provides a profitable livelihood for the many elites who wield considerable influence within the VCP.⁵⁵ For this reason, TPP international standards in SOE corporate governance, transparency, or regulatory oversight could help create an environment that fosters increased public entrepreneurship and competition. These standards would also

reduce corruption and inefficiencies that impede economic growth.⁵⁶ Furthermore, the prospect that Vietnam, the United States, and other TPP members could lessen their dependence on Chinese trade and share critical supply chains will serve as a strong incentive for membership. Trade within the group would ostensibly increase at the expense of non-member China, which would lose commerce.⁵⁷ If China were to eventually join, the more rigid standards would limit China's ability to manipulate trade regulations to its advantage through coercive trade practices in its dealings with dependent nations.⁵⁸

Vietnam has posted an average of 7 percent annual growth in GDP over the last ten years; it recognizes that it can no longer do without the benefits of international integration.⁵⁹ The country's remarkable economic transformation is a testament to its willingness to shift from a command economy to a market economy.⁶⁰ Economic reforms initiated after the 1986 era of renovation raised Vietnam's per capita income from under \$100 to \$1,130 by 2011.⁶¹ Governmental accommodations are facilitating the transition from "bicycles to motorcycles."⁶² Its economic liberalization policies, without political democratization, have allowed the VCP to survive in the face of growing capitalism and a younger generation influenced by Western culture and commercial products.⁶³ However, further economic success can create new pressures on the government, perhaps, forcing it to explore a transition from "ideologically rigid, authoritarian form of communist rule to a political structure that can accommodate the demands of global economic integration."⁶⁴ While the Vietnamese people may still not live in a democracy, the nation is evolving towards greater civil participation and openness to democratic ideas that continue to permeate its civic institutions.⁶⁵ The

influence of an alternative system is emerging in Vietnam; its ruling elite may one day have to embrace it—or at least tolerate it.

The maturing U.S. relationship with Vietnam represents an opening to nurture broader ties beyond military considerations. Vietnam offers more than port access. Vietnam, a country of 90 million people, can be engaged to strengthen regional institutions, support international laws, and improve multi-lateral commerce.

Sino–Vietnam Tensions

Recent Territorial Disputes

The United States must carefully allocate resources to meet worldwide interests, but Vietnam can afford to make China its sole geopolitical concern. In the post-colonial era, Vietnamese and Chinese territorial disputes have centered predominantly on four regions: the Sino-Vietnam land border, the Gulf of Tonkin line of demarcation, the Spratley Islands, and the Paracel Islands.⁶⁶ Previous Chinese negotiations with the French, during its occupation of Vietnam, served as a reference point for recent discussions. Both parties have based their claims on French positions advanced during its colonization of Indochina.⁶⁷ The modern northern Vietnam-southern China border reflects multiple agreements arrived at from 1887 to 1895 between the Chinese Qing dynasty and France.⁶⁸

The 1979 Sino-Vietnam War was triggered by a Chinese response to Vietnam's invasion of Cambodia and China's attempt to curtail Vietnamese and Soviet influence in Southeast Asia.⁶⁹ Residual clashes continued throughout the next decade along the heavily militarized border. Vietnam remained a strong ally of the Soviet Union during this period, and Soviet influence with the Vietnamese government threatened China's long-standing dominance of the country. By 1990, both nations had initiated discussions

to normalize relations and address the border issue. Close to ten years later, in December 1999, Vietnam and China signed a treaty to settle the land border dispute. The treaty granted Vietnam slightly less than half of the disputed area, while China acquired the remaining 50.2 percent.⁷⁰ The following year, the two countries also resolved their Gulf of Tonkin maritime rights dispute.⁷¹

Located in the southern section of the South China Sea, the dispersed territory known as the Spratly Islands is currently contested by six countries.⁷² The territory is comprised of over 230 features⁷³ and collectively totals approximately five square kilometers, including 25 miniscule islands, submerged shoals, rocks and reefs.⁷⁴ The single largest island is less than one-half a square kilometer. Vietnam, China, Taiwan, the Philippines, Brunei, and Malaysia each claim the islands in part or in their entirety.⁷⁵

Situated in the northern South China Sea, the Paracel Islands consist of 23 features made up of islands, shoals, rocks and reefs.⁷⁶ The combined mass of the features totals about 10 square kilometers. The Paracel Islands are divided into two sections—the northeastern Amphitrite Group and the southwestern Crescent Group. Disputes over the islands date back to the period of French occupation of Vietnam. Opposing claims by the Vietnamese and Chinese, under both the Nationalist and Communist governments, are based on the historical and administrative presence of fishermen and traders from both countries. However, the communist Chinese government first established a military foothold in the Paracel Islands in 1950 after Nationalist forces withdrew from Woody Island in the northern group of islands.

South China Sea Dispute

The most significant and potentially volatile dispute between Vietnam and China involves competing claims in the South China Sea. Intensifying the issue are the

substantial economic stakes, which include proven reserves of 7 billion barrels of oil, along with an estimated 900 trillion cubic feet of natural gas.⁷⁷ These numbers pale in comparison to some estimates that posit a yield of 130 billion barrels of oil.⁷⁸ Under the internationally recognized United Nations Convention on the Law of the Sea (UNCLOS), maritime sovereignty extends twelve nautical miles out from a nation's territorial coastal baseline (usually the low-water line).⁷⁹ Further out to an additional two hundred nautical miles from the coast, nations are granted an exclusive economic zone (EEZ), which permits exclusive commercial rights to resources within the specified area.⁸⁰ But EEZ does not confer sovereignty rights; accordingly, the zone beyond the twelve nautical miles is part of the global commons, which allows open access to global navigation and aerial overflight rights.

China's initial claims to most of the South China Sea, along with other maritime areas adjacent to its territorial borders, were certainly ambitious. But they did not elicit much diplomatic recognition among its neighbors.⁸¹ Without a blue-water navy to enforce claims that extended southward to Malaysia, China found itself competing for physical possession of the numerous islands and features within the area.⁸² China supports its sovereignty claims based on the presence of historical Chinese artifacts found on different islands, on its own diplomatic claims after the Communist defeat of the Nationalist government in 1949, and on its own maps depicting nine dashed lines, also known as the "cow's tongue," encompassing most of the South China Sea.⁸³

As China builds up its naval and air forces, however, it will acquire the capabilities to enforce its claims diplomatically or coercively. China has already developed extensive economic relationships with all the interested stakeholders; this

regional hegemon can readily apply economic pressure or incentives to influence its neighbors' behavior to China's advantage. Positioned as the most dominant military and economic power in the area, China has for some time contributed to the development of the South China Sea region. China's sphere of influence has expanded through trade, security agreements and the spread of its culture. It has gained friends and adversaries along the way.

China's march out to the South China Sea has led to numerous contentious disputes with its neighbors. The disputed offshore territories are in China's strategic interest. Economically, the associated EEZ provide access to critical natural resources, including energy and fishing rights. Militarily, the territories offer China an additional maritime buffer, assuring greater control of regional navigation routes. Unlike the Sino-Vietnam land border disputes, historical sovereignty claims to the maritime areas are more tenuous. When the communists took control of mainland China, the country was not in possession of any of the maritime territories it now claims. In contrast, the French, and subsequently Vietnam, claimed and were in possession of the Paracel and Spratley Islands.

China first forcibly consolidated its possession of the Paracel Islands after a one day skirmish with Vietnam in 1974.⁸⁴ China had previously taken control of the Amphitrite Group after the fall of the former Chinese Nationalist regime. South Vietnam assumed possession of one island within the Crescent Group after the French transferred it to them in 1956. Over the next several years, South Vietnam expanded its presence within the Crescent Group, primarily by policing the islands to evict Chinese fishermen venturing into the area.⁸⁵

Prior to China's 1974 confrontation with Vietnam, disputes over the islands resulted in only limited altercations. Although China had built up its military presence in nearby Woody Island, China's ability to project its military power was still extremely limited. China's small naval fleet prevented it from asserting a more aggressive posture throughout the archipelago. Complicating the matter, U.S. support for South Vietnam likely deterred China from disturbing the status quo in the Paracel Islands. U.S. ships had been known to patrol the islands, so any clash with South Vietnam would likely have triggered U.S. naval support to the South Vietnamese. When China did finally act to displace the South Vietnamese in 1974, the United States had already ceased active combat engagements in Vietnam and was unlikely to become engaged in any conflict between South Vietnam and China over the Paracel Islands.⁸⁶ In a further indication of likely non-interference, President Nixon had already initiated serious discussions to improve diplomatic ties with China highlighted by his 1972 visit to Beijing. Possession of the Crescent Group firmly consolidated China's overall control of the islands, and the Paracel Islands remain under Chinese administration to this day.

The compelling offshore economic prospects also likely precipitated the intense maritime rush into the Spratley Islands in the late 1960s and early 1970s. Countries in the region raced to open up their coastal waters, to include disputed areas, as they sought to exploit the available natural resources.⁸⁷ Nations that had previously only issued formal claims to the islands began to occupy the area. In 1973, South Vietnam occupied eleven islands and reefs for the first time.⁸⁸ China, which had been claiming the Spratley Islands since 1951, did not take physical possession of any feature within the area until 1988, when it took physical control of six features and engaged Vietnam in

a military confrontation over possession of reefs in the island chain.⁸⁹ By then, China was increasing its naval capabilities and acquiring sufficient naval assets to establish a minimal forward maritime presence. Furthermore, competing nations had already claimed features and islands permanently above the water-line, leaving only underwater reefs and shoals for China to physically possess. But China needed this evidence of “possession” to support its claim to all of the Spratley Islands and the associated maritime rights.⁹⁰ It is unclear whether South Vietnam's claim to the Spratley Islands and subsequent possession of features provoked China to consolidate its possession of the entire Paracel Islands. But China's physical control of the Paracel Islands eliminated a physical rival in pursuit of a significant maritime possession with formidable natural resources.

While China has demonstrated patience in addressing territorial disputes, it has also exhibited a willingness to resort to hostilities when diplomatic efforts failed to satisfactorily resolve disagreements. Caution and suspicion remain hallmarks of Vietnam's border relationship with China.

Cooperative Prospects

It is China's aggressiveness that accounts for Vietnam's increased openness towards the United States. In turn, the United States is encouraging this amiable outreach. While the United States is not taking a position on the South China Sea disputes, it is promoting peaceful resolution of the broader issues. But the territorial disagreements are not likely to be resolved anytime soon. In this context, Vietnam views U.S. engagement in the area as a welcome deterrence against what it perceives as dominant Chinese influence. Just as importantly, Vietnam has also expressed interest in international agreements to resolve its claims with China. International law under the

1982 UNCLOS treaty offers Vietnam a peaceful mechanism through which it can assert its claims. Furthermore, a successful response from the United Nations tribunal would legitimize and strengthen Vietnam's claims in the eyes of the region. China is unlikely to accept any decision contrary to its claim of total sovereignty, although it would certainly welcome any decision supporting its own claims. Vietnam's deeper integration into the international system has served its national interests, and resorting to established norms rather than open hostilities advances U.S. security goals to promote stability and prosperity in the region.

Vietnam can benefit from turning to the international community to resolve these issues. Disputes over sovereignty have been resolved in the past when Vietnam and China were willing to compromise. Norway and Russia found common ground to resolve a similar dispute over the Arctic archipelago of Svalbard. In that case, a 1920 treaty granted Norway sovereignty rights over the de-militarized archipelago and concurrently granted the Soviet Union, along with several other signatory nations, the right to conduct commercial activities on the archipelago.⁹¹ While other maritime disputes remained between Norway and the Soviet Union, the two countries did not let territorial concerns interfere with the exploration and exploitation of natural resources. In 2010, after many years of confidence building, the two countries resolved a maritime boundary dispute between Svalbard and the Russian Novaya Zemlya Archipelago.⁹² Svalbard provides a case study of joint use territory for mutual benefit. It is a worthwhile example to consider in the South China Sea disputes.

Vietnam wants to reduce its dependence on its powerful neighbor. And the United States envisions Vietnam as a strategically aligned and well-positioned future

ally with a shared interest in promoting international comity and freedom of access to the South China Sea. Disagreements over human rights and democratic governance will continue to limit progress towards a full partnership in the near term. However, mutual interest in resolving legacy issues from the U.S.-Vietnam War can enable these former enemies to build lasting cooperative frameworks. Efforts to identify and recover the remains of military and civilian personnel still unaccounted for, unresolved Agent Orange concerns, and de-mining operations, offer ample opportunities to expedite renewed cooperation efforts associated with the rebalance. Conversely, as long as Vietnam's leaders remain suspicious that the United States still seeks to force its communist government to democratize, further integration will progress at an unfortunately slow pace.

Conclusion

Ultimately, a patient United States approach to engage a changing Vietnam may end up accelerating cooperation efforts. There is no question that Vietnam must improve its record on human rights and religious freedom for stronger strategic relations to develop with the U.S. In light of China's contentious history with Vietnam and its ambitious territorial claims, uncontested Chinese economic and military advantages will shape political decisions detrimental to both Vietnam and the United States.

Strategically located in Southeast Asia and imbued with a strong independence and nationalist will, Vietnam's outreach to the United States strengthens the U.S. rebalance to the Asia-Pacific. U.S.-Vietnam relations have evolved dramatically since 1995. The increased military, diplomatic, and economic engagement between the two nations belies the fairly recent animosity that fueled a war which deeply scarred both nations. But driven by pursuit of common national interests and joint integration into a robust

international system, these past foes can forge a strategic relationship that will serve their needs well into the future. A deepening relationship with Vietnam will further demonstrate the long-term U.S. commitment to a region of the world that continues to look to the United States for security and prosperity.

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